

the need to reduce our dependence on foreign oil and to develop a comprehensive energy policy. An energy policy that addresses this challenge should have renewables and energy conservation as centerpieces. Instead, this budget puts them on the chopping block.

The President's budget also threatens our Nation's land and wildlife resources. It would weaken the protections of the Endangered Species Act, underfund land conservation initiatives, and generally weaken the Department of Interior's efforts to protect and preserve our Nation's great natural heritage, including our national parks. This will undermine numerous efforts by our States to fight the effects of sprawl and over-development, including the one spearheaded in my own State of New Jersey by our then-Governor, Christie Todd Whitman. She implemented a 100,000-acre open space initiative as Governor. I am concerned because in New Jersey the Sierra Club estimates that we are losing 10,000 acres of our dwindling open space a year. In New Jersey, these are real issues for us. We are the most densely populated State in the Nation.

The budget goes beyond cuts in some cases; for example, it eliminates the popular Wetlands Reserve Program. This is a voluntary program that creates incentives for farmers to manage their lands as wetlands. Finally, the budget proposes to drill the pristine Arctic Refuge in Alaska at the expense of rare species and fragile ecosystems.

Let me say that I would always prefer to give the President the benefit of the doubt. His actions, and the things he has to do, are difficult for everyone. But it is simply wrong to give big corporate interests such overwhelming influence in the development of environmental policies. The mining industry may do a lot of good, but it should not control policies over public lands. The oil and gas industries play important roles, but their short-term interests should not undermine the broader public interest in protecting our precious natural resources. We need a more balanced approach than we have been getting thus far in our discussion of the environment.

It is a great disappointment to me and many of my constituents given how important the environment is to each of them and their families. I have certainly heard that as I have traveled across New Jersey in the weeks leading up to Earth Day.

I hope we in the Congress will do what we can to help restore a balance to our Nation's environmental policy. I assure the people of New Jersey that I will continue to do all I can to resist efforts that would lead to dirtier water and dirtier air and erode our national heritage. The stakes are vital to our country and to my State. The American people deserve better.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATION

Mr. GREGG. Mr. President, I want to take a brief moment to speak about one element of the education issue which as we move towards the debate on the education bill will be discussed at considerable length in this Chamber.

I want to lay out a predicate for this discussion. That involves the issue of what I call portability, or choice. Some have tried to place on it the nomenclature of vouchers, which really isn't accurate. But the issue is giving parents options in the educational system to assist them in ensuring that their children get an education which is of benefit to them and allows them to be competitive in our society.

I think we all understand that the core element of success in our society is quality education. We especially understand that in New Jersey where we don't have a natural resource to mine or agricultural products. We don't have some unique physical characteristic that gives us the ability to create income as a result of that characteristic. The essence of what gives our State its competitive advantage is the fact that we have a lot of people who are well-educated, intelligent, and are able to compete successfully in a very highly technical society.

That is a definition that can be applied to our country as we see a global market develop in all sorts of commodities. It becomes very clear that the theories of Adam Smith apply in our society and in our world today. There are certain products and certain capabilities which one society is better at than other societies. Fortunately, our society is best at those activities which produce the most wealth and the most prosperity. A large percentage of those products and capabilities involve technology. They involve intellectual capacity, and they require a strong education system to succeed.

Regrettably, what we have seen in our society today is an educational system that has not kept up with the needs of our Nation. In fact, tens of thousands—literally hundreds of thousands—of kids in our educational system simply aren't being educated at a level which makes them competitive in this high-technology world. It makes them capable of being successful, which means when they leave school they have the capacity to compete with their peers in English and math and basic science.

We have seen this regrettably for years and years. The situation hasn't improved a whole lot. In fact, we see in study after study the conclusion that our school systems aren't working that well in many parts of our country; that we are well behind other nations which we are competitors with in the international community in the industrialized world. We rank close to last in math and science. It is especially true of kids who come to the table of education who have a natural disadvantage of coming from a low-income background. Those kids are even further behind than kids who do not have that disadvantage coming to the educational table. In fact, as I commented in this Chamber before, the average child in the fourth grade coming from a low-income background reads at two grade levels from his or her peers.

The same is true nationally. It is throughout the system. It is not just fourth grade. We have seen the dropout rate. We see the lack of capacity to be competitive academically on the low-income side, and especially the minority side in our urban areas is a staggering problem. It hasn't improved even though we have spent hundreds of billions of dollars in this country trying to improve the system. What can we do to change that?

We are bringing out an educational bill on the floor with amendments to address a number of areas, and it has some very unique and creative initiatives. The President made it his No. 1 priority. He brought forward the debate and I think moved the debate dramatically down the road or significantly down the road towards trying to get a different approach to this issue, recognizing that we have not been successful with the way things have been working for the last 20 or 30 years. He has suggested that we give schools more flexibility, but in exchange for flexibility for parents, teachers and principals in the school system require more accountability, and that we hold that accountability to be applied not only to the norm but to every individual group within the norm, whatever their ethnic, race, or income background. It is basically a testing program that requires kids maintain that level of proficiency in their grade level.

But what happens when you see a school system which continues to fail year in and year out? You may say: Who defines failure? The Federal Government? No. Failure is defined by the local school district or the State school board deciding what a child should know in the third, fourth, fifth, and sixth grades. It is not the Federal Government setting the standard. It is the local school boards.

But we know literally thousands of schools in this country year in and year out meet the standards when it comes to teachers teaching kids in those school districts and those school

buildings—standards which are set up not by the Federal Government but are set up by the local school districts or by the States.

Literally thousands of schools are not cutting it this year. They have not cut it for years in sequence. In some of our urban areas, 80 or 90 percent of the schools simply are not teaching the children in those school systems at a level that the local school district or the local school board or State school board defines as educational proficiency.

A parent who has to send their child to that school says to themselves: What am I to do? My child started in this school in the first grade and the school was failing. Now my child is in the fifth or sixth or seventh grade and the school is still failing. My child has passed through a system which simply wasn't teaching them what they were supposed to be taught, and everyone knew that child wasn't learning what they needed to learn.

What can the parent do under our present rules? The parent can do virtually nothing to try to help their child unless they happen to come from a reasonably high-income family. Then they can take the child out of school, or even a moderate-income family if they have a Catholic school system somewhere or a religious school system somewhere that has a low cost and have their child go to that school. But for most low-income families in our urban communities, their options are nonexistent. If you are the single mother with two or three kids, or even one child, and your child is trapped in that school system, you are saying to yourself: How is my child ever going to have the knowledge they need in order to be successful? How am I going to get my child to a point where they can read and do math, where they can step out of that school and get a good job, and where they aren't going to be assigned to a situation where they cannot compete in our society because they haven't been taught? That single mother's options are nonexistent today.

Some of us on our side of the aisle, and a few on the other side of the aisle, have suggested giving parents some options. Let's say to a parent whose child is locked in the school that has failed year in and year out—we are not talking about all parents. We are just talking about parents in low-income families, and single moms trying to make a living. They have a job. They are sending their kids to school. Their kids are in a school that doesn't work. Let's say to those parents that we have some other options. After 3 years in that school system that has failed, the parent will have an option to use the special money which the Federal Government sends to that school system to benefit low-income children, which obviously isn't doing any benefit.

You, the parent, will have the ability to take a proportion of that money and have it follow your child to another school, either a public school or a private school, where your child will have a chance to succeed. Your child will have a chance to participate in the American dream rather than to be locked out of it because they are in a school that does not work.

This concept has been demonized. This concept has been vilified. This concept has been aggressively attacked, primarily by the liberal educational establishment in this country, essentially the leadership of the labor unions. Why is that? This concept of giving parents whose kids are stuck in failing schools—low-income parents, most of them single parents, most of them women—an option to do something to try to bring their kids out of that destitute situation, why has it been so attacked by the major labor union movement in this country which controls the teachers' unions? Primarily because it is the first step to what is known as competition.

Competition is an evil term when it comes to the liberal educational establishment in this country. I am not really sure why it is an evil term. If you go out to buy a car, you decide on buying that car because there is competition. Competition has produced the one car that does a better job of what you are interested in than what somebody else has built. You buy a Ford over a Chevrolet or a Chrysler over a Chevrolet or maybe a Chevrolet over a Chrysler because you decide they build a better product that meets your needs more appropriately.

Competition has been the essence of what has produced quality in the area of products in our country. They will say, this is not a Chevrolet; it is education. No, it is not a Chevrolet. This isn't cars. This is service. In the area of service you do exactly the same thing.

If you have a doctor who you think is not taking care of you or your family correctly, you go to another doctor. If you have a dentist who is not taking care of you correctly—maybe he drilled into your tooth and did not give you any novocaine which caused you a little pain—you go to another dentist.

For service providers, the same is true right across the board in our country. The only place where service isn't provided in a competitive way in our society with any significance, outside of pure Government is in public education. As a result, regrettably, when a child is locked in a failing school, the parent has no options. That is not fair. It is not fair to that child. It is especially not fair to the low-income parent in America. It is not fair to the urban poor in America that their children are the only children who are subjected to this lack of ability to have a chance at the American dream because we have a society which demands that

they attend a school that fails year in and year out.

So we have suggested, let's give these parents and these kids a chance. Let's take a small percentage of the funds and allow the parent to use those funds to bootstrap that child into some other educational venue where they think they can do a better job, where the parent thinks they can do a better job. It can be a public school or it can be a private school.

This is an idea that has caused great disruption obviously in the educational community. But let me point out it is working today with State and local dollars. It is working in the city of Milwaukee and in the State of Arizona. They allow the State tax dollars and the local tax dollars to follow the child to the educational venue, the educational place they wish to go. It works very well.

Listen to the mayor of Milwaukee, who happens to be a very active Democrat, and he proselytizes on this issue about how good it has been for the kids in the inner city, to give them a chance to be more successful, a chance to live the American dream. Remember, we are not proposing—and this is critical to understand—a unilateral Federal program that comes into the State, comes into the community, and says: You must allow the parent to have portability, to have those dollars follow the child.

What we are saying is this: We are going to put on the cafeteria line of Federal programs an idea. You, the local school district, you, the State, if you decide to, through your elected officials—and it is key to underline that; through your elected officials—can take off that cafeteria line the idea of portability, having the dollars follow the child. So it is going to be a program which is totally controlled by publicly elected officials. It will be only at the discretion of publicly elected officials who control the public educational system.

So if the public education system in Milwaukee wants to use the Wisconsin dollars and the Milwaukee dollars, and then wants to also use the Federal dollars, they can do that. But if the public education system in Chicago does not want to use Federal dollars or local dollars or State dollars in order to give parents the option, then it will not happen.

This is not a unilateral exercise. This is an exercise which is related to the local community making the decision, through its locally elected officials, who control local education. So it is not some huge scheme that is going to be settled on the community from above.

Why shouldn't we say to the city of Milwaukee: All right, you have a program that you think is working very well. You are taking your State tax dollars, you are taking your local property tax dollars, and you have set up a

program where those dollars follow the child. But, unfortunately, you, Milwaukee, today, under our law today, cannot take Federal dollars and follow the child. Your Federal dollars have to go to the public school system. They have to go to the public schools, and it is not in relation to how many low-income kids there are in the schools—and there can be some low-income kids who do not get any dollars for education—but, rather, it is in relationship to some arbitrary formula settled back in 1976 that simply happens to be a formula based on political expediency today.

Why shouldn't we say to Milwaukee: We are not going to do that any longer, Milwaukee. You have made a decision as to how you think you can educate your children. We are going to let the Federal dollars follow the local and State dollars. Specifically, in Milwaukee, if you decide to do it, we are going to allow you to use these dollars with portability, so the parents can have options; the same with Arizona.

That is what we are proposing. It is really not radical at all. It is not a Federal initiative demanding we have a national program on "vouchers," a word that has been made a pejorative term. It is a program that suggests that local communities and States may decide that parents, who have their kids in failing schools, where those schools have failed year in and year out, can do something for their children that will create some competition in the educational market, something which is fundamental to the American society in producing quality. It is a program that suggests that those school districts which have made those decisions locally or statewide, through their elected leaders, will have the option, with our Federal dollars, to do the same.

That idea has retained huge resistance; the resistance isn't rational. The resistance is political. It is driven by a desire basically not to allow competition, not to allow creativity in our local school districts, but to drive the process of education from Washington, so that an elite few can decide for many how education is pursued nationally.

We are going to discuss this at greater length as we move down the road on the education bill. But I thought it would be appropriate at this time to at least lay down the foundation for the predicate of the debate because it is grossly misrepresented in the press, not because the press does not understand the issue but because the presenters to the press maybe want to misrepresent. I believe it is appropriate to maybe begin to make clear for the record what is being proposed.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from Wyoming, asks unanimous consent the calling of the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15.

Thereupon, the Senate, at 12:30 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer [Mr. INHOFE].

The PRESIDING OFFICER. The Senator from Kansas.

TARGETING CHILDREN

Mr. BROWNBACK. Mr. President, I want to draw the attention of this body to a report that was released just today by the Federal Trade Commission. It is a followup study to one that was done last year on the issue of the marketing of violent, adult-rated entertainment material to children. It was a groundbreaking Federal Trade Commission study last year that found that much of our adult material, adult-rated entertainment material—movies, video games, music—was adult rated by the companies themselves, entertainment companies, the conglomerates, and then target-marketed back to children, for example, in the Joe Camel advertisement. It was said this was an adult-rated product, cigarettes, but using an image to target-market that then back to children. It turns out the entertainment community—entertainment companies and movies and music and video games—was doing the exact same thing.

That report was released last fall, and it was very discouraging and disappointing that they would do this, particularly at a time when we have so much difficulty with violence in our society, violence among kids in our schools, killings among our teenagers.

There was a followup study released just today to that September FTC study. What came forward is that the movie industry is doing somewhat better about not target-marketing the adult-rated material to children, the video game industry is doing better than the movie industry in not target-marketing their adult-rated fare to children, and the music industry that is putting forward these hyperviolent, suicide, violence-towards-women lyrics has actually done nothing to change its marketing practice and continues to directly target-market adult-rated material. This is material the music companies themselves deem to be inappropriate for children. They put an adult sticker, parental advisory, on this material, and they turn around and con-

tinue, with millions of dollars in marketing campaigns, to target children.

They are saying: Yes, we got the study last fall. We saw that. Yes, we were target-marketing adult-rated, parental-advisory-stickered material to children last fall. Do you know what. We are going to keep doing it. And they have continued to do that, as shown in this study that was just released today.

I asked that industry to come forward and change its marketing practices: If you believe this material is inappropriate, to the point it needs a parental advisory label on it, don't spend millions of dollars to try to bypass parents and get the kids to buy them.

What the FTC study found is deeply disappointing. There have been some efforts made at progress, mostly, as I noted, in the video game industry, and more modest attempts in the movie industry. For those efforts I offer both praise and encouragement to step up the progress. But the report also found, as I stated, that the recording industry has made no effort to implement any reforms—either those mentioned in the report or the reforms that they, the recording industry themselves, told Congress they would do. This is even more disappointing.

Before we had the hearing last fall on the marketing of violent material to children, the recording industry stepped up and said: We are going to change. Here is a three-point, five-point, seven-point plan we are putting forward; we will implement these as an industry to change our marketing practices.

They volunteered. Now what they have done is they have said: We are not even going to do what we volunteered to Congress we would do—change our marketing practices.

I want to read just a few statements from this report because it is deeply disturbing:

The Commission's review indicates that the entertainment industry had made some progress in limiting advertising in certain teen media and providing rating information in advertising. The industry must make a greater effort, however, if it is to meet the suggestions for improvement included in the Commission's Report as well as its own promises for reform.

Specifically, the report found, "ads for R-rated movies still appeared on the television programs most popular with teens . . ."—even though they are supposed to be a restricted audience for the movie—"and the ratings reasons in ads were either small, fleeting or inconspicuously placed."

That was the good part of the study. The report reserved its harshest criticism for the music industry and stated:

The Commission found that the music recording industry, unlike the motion picture and electronic game industries, has not visibly responded to the Commission's report, nor has it implemented the reforms its trade association announced just before the Commission issued its report. The Commission's